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Sheri Labenski

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Women's violence and the law: in consideration of Shamima Begum

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What do responses to women's violence reveal about gender and the law? In this blog, Sheri Labenski argues that gendered and sexist narratives on women's roles in terrorist organisations, and violence more broadly, restrict women's visibility in legal narratives on war.

"They have sex with them, they breed with them, they cook for them, they clean for them, they love them and they worship them. And while

*they're doing all this, their husbands are busy raping, torturing, stoning, beheading and murdering people. [...] Now, predictably, they both want to return to the safety of their original countries and live at OUR tax-payer expense. To which I say, and excuse my language here but sometimes it's entirely appropriate: Go f**k yourselves." Piers Morgan*

Shamima Begum first captured the attention of both international and national media outlets when she left her East London home for the ISIS Syrian stronghold in February 2015. Shamima Begum was a part of the trio of 'Bethnal Green schoolgirls' who are believed to have been exposed to online radicalisation, luring them to join the terrorist organisation with promises of an idyllic life and marriage to ISIS fighters.

On 13 February 2019 Shamima Begum was discovered in a Syrian refugee camp, pregnant and hoping to return home to the UK in order to raise her unborn child. As soon as [The Times](#) published their interview, she was again in the spotlight and the spectacle of media coverage, opinions, analysis and public outcry rapidly unfolded. Just as quickly, the debates became focused on her status as a British citizen. On 19 February 2019, less than a week after Shamima Begum was discovered in the Syrian refugee camp, she was officially [stripped of her UK citizenship](#). The UK Home Office cited her Bangladeshi citizenship as a justification, suggesting that they did not break international law rendering her stateless. However, as we now know [she did not have Bangladeshi citizenship](#). Shamima Begum was back in the media recently, as her [lawyers are currently appealing](#) against the removal of her UK citizenship via the Special Immigration and

Appeals Commission.

Media Narrative

To say that there is public interest in Shamima Begum's story would be an understatement, least of all evidenced by [ITV's video coverage](#) of her reading aloud the Home Office's decision to remove her citizenship, complete with new born son in hand. Public opinion is reportedly against Shamima Begum: a February [Talkradio poll](#) of 288,100 found that 99% of the respondents did not think she should be allowed to enter the UK, and a [Sky News poll](#) found that 78% of respondents believe revoking her citizenship was the right choice. However, despite her trial in the court of public opinion, there has been little feminist gender analysis of Shamima Begum's publicity by mainstream news outlets. This indicates a failure to reflect on what public thirst for her story reveals about gender, religion, race and 'Britishness', and moreover what this story reveals about the law.

The visibility of Shamima Begum's story has highlighted the prevalence of binary constructions of gender, race, class, religion and one's sense of belonging. From the moment her story went public in 2015, she has been viewed as the 'school girl gone wrong'. Many searched for reasons as to how Shamima Begum and her two friends could have been convinced to join ISIS. Blame was seemingly placed on [their families](#), [their school](#), [the local council](#), and the [police](#) and [security](#) services. [Shahnaz Ahsan](#) noted that discussions on the larger structural issues implicated in Shamima Begum's story were sidelined by the government's decision to revoke her citizenship. Her story again, a cautionary tale, exemplifies to many the larger problems with extremism and radicalisation, but specifically incenses Islamophobic

viewpoints and anti-immigration sentiments.



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Depicting ISIS fighters or supporters as inhuman beings does little to aid understandings of the ways in which extremist ideologies take shape and play out in everyday life. Bringing in a nuanced gender analysis requires discussions to move beyond branding Shamima Begum as simply going down a 'depraved path' or merely employing a superficial gender analysis. Rather a nuanced feminist gender analysis involves taking a moment to pause and asking: what information can be garnered from society's reaction to ['these types of women'](#)? In particular, what can be learned about gender and the law as a result of Shamima Begum's publicity?

What do these stories say about gender?

From a gender perspective there must be an acceptance that women

will not always display the qualities 'we' want, like or expect. Women will not enter into traditional masculine spaces and always seek reform. Women will, of their own free will, enter into spaces that seek to bring about harm and suffering. However, looking at Shamima Begum's situation there is a lack of concrete facts that she directly perpetrated violence. I am not arguing that her situation does not meet the threshold for participation in terrorist activities. If there is adequate evidence of crimes committed, then the criminal process should be invoked. However, the level of public outcry would make it seem that she was in a leadership position within ISIS. The reality is, it is not clear what Shamima Begum has done specifically. Moreover, this speculation brings conversations back to a policing of women's acceptable roles in society.

Women become a part of the terrorism narrative as exceptions, as shocking and in need of expulsion from society. If women exist, then they must be restricted to narrowly defined roles, and any stepping outside of these roles deserves public condemnation. However, this does not mean that all 'pre-approved' female roles are positive. Western women who encourage war or contribute to imperialistic hegemonic dialogues within the context of nationalism are often seen as an acceptable product of the State. This is not to suggest terrorists and State actors are necessarily the same, but it is an illustration of the issues that arise when women are only allowed to play certain parts within State narratives.

I say 'play', because often women are not regarded as actively choosing to engage in acts that highlight stereotypical masculine characteristics unless they serve State ideals. This is precisely the

issue that occurs; women are reacted to with gendered condemnation when they are perceived as 'doing things we don't like'. These reactions provoke a judgement which situates women's choices as either wrong or right. When this happens there is a halting of the nuances that exist within these stories, which can offer unique perspectives and have the potential to illuminate embedded inequalities. Furthermore, gendered outrage, evidenced by the media and public outcry, also impedes understandings of both personal and organisational realities of spaces like terrorist structures.

What do these stories say about the law?

Sadly, this is not the first time women who participated in conflict have been publicly vilified based predominantly on their gender (nor is it likely to be the last). Both [Biljana Plavšić](#) and [Pauline Nyiramasuhuko](#), were brought before the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda respectively. Considering the role of women during the conflicts in the Former Yugoslav Republic and Rwanda it is surprising that more women were not brought before the Tribunals. While the trials of Plavšić and Nyiramasuhuko warrant further discussion in and of themselves, my interest is in the narrative that the law creates.

Mainstream legal narratives, wrapped up in legal procedures as well as being supported by media interpretations, function to perpetuate limited histories that bolster law's current trajectory. These narratives ignore the alternative historical retellings that challenge Western heteronormative assumptions, which underpin much of the law. As [Charlesworth](#) points out, it is assumed that the concepts of 'justice'

and 'democracy' are inherently good and that their definitions are sound. Thus, questioning mainstream accounts and concepts can illuminate weaknesses and challenges within the law.



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For example, international criminal law, in particular, presents an account of an armed conflict within its judgments and court proceedings. If stories of women's participation do not enter into the understanding of an armed conflict, then when examples of female perpetrators do surface, they are viewed as exceptional. As a result, when international organisations enact measures after a conflict ends, seeking to provide relief and aid in reconciliation, they tend to reproduce the same gendered understandings, ignoring women who have participated in armed conflict. To break down mainstream legal

narratives is to question the assumptions upon which the law is based. Mainstream legal narratives that secure women only in the positions of victim or peacemaker further justify the current functioning of the law.



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Embedded structural gender inequalities

Shamima Begum's ongoing legal saga tells an equally concerning narrative via domestic law. At no point in the reporting of her story was there a concern for the children that she lost, rather it served as a reinforcement of the ways in which she has defied her gender. There was no discussion of the reasons why she entered into a terrorist structure, rather it was assumed that she had 'gone wrong'. Shamima Begum's portrayal in the media shows embedded structural gender

inequalities, which serve to stagnate discussions based on identity or representation and ignore the wider context and the dire need for intersectional analysis.

The law, which was used to strip Shamima Begum's citizenship, aided in the narrative of dismissal. It showed how Shamima Begum, a non-white, Muslim, female is easily put out of our care and consideration, both legally and socially, along with the important understandings that could have been learned.

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Sheri is a Research Officer in the Centre for Women, Peace, and Security, where she works on an ERC funded project Gendered Peace. Sheri's other research focuses on female perpetrators in international criminal law, which examines the way understandings of gender, law and violence shift when female perpetrators are centred within analysis.

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